

R E M A R K S

Upon further consideration, the applicant withdraws the arguments for patentability submitted in the Response filed on January 11, 2008. The applicant respectfully requests that the Examiner instead reconsider the application based on the claims as set forth hereinabove and the arguments for patentability set forth below.

THE CLAIMS

Claim 1 has been amended to incorporate the subject matter of claim 2 (which formerly depended from claim 1).

Claim 3 has been amended to depend from claim 1, instead of from (now canceled) claim 2.

No new matter has been added and no new issues have been raised which require further consideration on the merits and/or a new search.

Accordingly, it is respectfully requested that the amendments to the claims be approved and entered under 37 CFR 1.116.

THE PRIOR ART REJECTION

Claims 1-4 were rejected under 35 USC 103 as being obvious in view of the combination of US 2001/0009443 ("Suemoto et al") and USP 6,401,202 ("Abgrall"). This rejection, however, is

respectfully traversed with respect to the claims set forth above.

It is respectfully submitted that neither Suemoto et al nor Abgrall discloses, teaches or suggests the technique for starting an initialization processing of an optical system to make the driving unit of the optical system start moving the optical system to a predetermined state based on a startup program which does not comprise an operating system, when the camera device is started up in a state in which a recording mode for photographing is set, wherein after starting the initialization processing to make the driving unit start the moving of the optical system to the predetermined state, based on the startup program which does not comprise the operating system, a control program which does comprise the optical system is started without waiting for the operating system to reach the predetermined state.

That is, it is respectfully submitted that neither Suemoto et al nor Abgrall discloses, teaches or suggests an initialization processing to make the driving unit start moving the optical system to the predetermined state, wherein the initialization processing can be operated in parallel with control based on a control program which comprises the operating system and is executed after the startup program (which does not comprise the optical system) is started.

Thus, it is respectfully submitted that Suemoto et al and Abgrall, even if considered in combination, do not disclose, teach or suggest, in particular, a control unit which when the camera device is started up in a state in which a recording mode for photographing is set, controls the driving unit to move the optical system to a predetermined state by an initialization processing based on a startup program which does not comprise an operating system and then controls the driving unit based on a control program comprising the operating system; and a memory which stores the startup program and the control program, wherein the control unit reads the startup program from the memory, starts to move the optical system to the predetermined state by the initialization processing based on the startup program, and then reads the control program from the memory without waiting for the optical system to reach the predetermined state.

With this structure of the claimed present invention, the control unit starts the moving of the optical system to the predetermined state by the startup program which does not comprise the operating system (and requires only a short startup time) when the camera device is started up in a state in which a recording mode for photographing is set. Therefore, the camera device recited in claim 1 can achieve a remarkable shortening of the time period from the startup of the camera device to the time at which the optical system reaches the predetermined state, as

compared to a system in which a lens driving program to start moving the optical system is started up after the startup of the operating system (which requires a long startup time) as in the technique disclosed by Suemoto et al.

Moreover, with the structure of the present invention as recited in amended independent claim 1, the control unit reads the control program (which comprises the operating system) from the memory without waiting for the optical system to reach the predetermined state. Therefore, the camera device recited in claim 1 can achieve a remarkable shortening of the time period from the startup of the camera device to the start of the control based on the control program (comprising the operating system), as compared with a system in which the control based on the control program (comprising the operating system) starts after the optical system reaches the predetermined state.

With respect to claim 2, the subject matter of which is now incorporated in claim 2, the Examiner acknowledges that Suemoto et al does not disclose the subject matter now recited in claim 1 wherein wherein the control unit reads the startup program from the memory, starts to move the optical system to the predetermined state by the initialization processing based on the startup program, and then reads the control program from the memory without waiting for the optical system to reach the predetermined state. Moreover, the Examiner does not assert that

Abgrall discloses the missing teachings of Suemoto et al.

Instead, the Examiner merely asserts that the object of Suemoto et al "is to decrease the amount of time required for the camera to be ready for recording," and the Examiner asserts that the structure recited in claim 2 would have been obvious in view of such a goal.

It is respectfully pointed out, however, that the object of Suemoto et al cited by the Examiner is vague and general, and that there are many techniques that could be used to achieve such an object. It is respectfully submitted that the specific features now recited in claim 1 are not rendered obvious by the general goal of decreasing the amount of time required to ready a camera for recording.

It is respectfully submitted, moreover, that the general concept of decreasing the amount of time required to ready a camera for recording lacks concreteness and would not have led one of ordinary skill in the art to combine the teachings of Suemoto et al and Abgrall.

In any event, it is respectfully submitted that neither Suemoto et al nor Abgrall disclose, teach or suggest the structure of the control unit recited in amended independent claim 1, as explained above, and it is respectfully submitted that even if it were reasonable to consider together Suemoto et al and Abgrall together, the structural features and advantageous

effects of the present invention as recited in amended independent claim 1 still would not be achieved or rendered obvious.

Re: JP 2001-268413

It should be understood that JP 2001-268413, which was cited in the Office Action dated April 4, 2007, discloses a technique for enabling the performing of a program transform processing and a collapsible barrel release processing in parallel by utilizing two control means (a main microcomputer and a sub microcomputer). By contrast, the present invention as recited in independent claim 1 enables the performing of control based on the control program (which comprises the operating system) and the movement of the optical system to the predetermined state by utilizing a single control means.

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In view of the foregoing, it is respectfully submitted that independent claim 1 and claim 3 depending therefrom clearly patentably distinguish over Suemoto et al and Abgrall, taken singly or in combination, under 35 USC 103.

Entry of this Supplemental Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

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